

VZCZCXYZ0003
RR RUEHWEB

DE RUEHSA #0306 0441535
ZNR UUUUU ZZH
R 131535Z FEB 08
FM AMEMBASSY PRETORIA
TO RUEHC/SECSTATE WASHDC 3462
INFO RUCNSAD/SOUTHERN AF DEVELOPMENT COMMUNITY COLLECTIVE
RUEAIIA/CIA WASHINGTON DC
RHEHNSC/NSC WASHDC
RHEFDIA/DIA WASHINGTON DC

UNCLAS PRETORIA 000306

SIPDIS

SENSITIVE
SIPDIS

DEPT FOR AF/S, INL/AAE

E.O. 12958: N/A
TAGS: PGOV ASEC KCRM SF
SUBJECT: NQAKULA FORMALLY PROPOSES FOLDING SCORPIONS INTO
SAPS

REF: A. 05 PRETORIA 4296
 1B. 07 PRETORIA 4262
 1C. PRETORIA 0075

11. (U) Minister for Safety and Security Charles Nqakula proposed before the National Assembly on February 12 that the National Prosecuting Authority's (NPA) Directorate of Special Operations, popularly known as the "Scorpions," and the South African Police Service's (SAPS) Organised Crime Unit be merged into a single unit to fight organized crime. Specifically, Nqakula recommended that the Scorpions be "dissolved", that the Organised Crime Unit be "phased out", and that "the best investigators from the two units will be put together, under the South African Police Service, as a reconstructed organised crime fighting unit." Nqakula went on to praise the successes of both entities. He offered no timetable for the proposed incorporation of the Scorpions into SAPS.

12. (U) Opposition figures in Parliament reacted by saying that the announcement undermines Parliament's authority and threatens the independence of law enforcement agencies. (NOTE: In separate initiatives (septel), the Democratic Alliance (DA) tabled a motion under Article 50(a) of the Constitution calling for the dissolution of the National Assembly, while the Independent Democrats (ID) tabled an Article 102(2) motion of no confidence in President Mbeki and urged the President and his Cabinet to resign.)

"Good News for Crime Bosses"

13. (SBU) Peter Gastrow, former parliamentarian and head of the Cape Town office of the Institute for Security Studies (ISS), told EmbOff February 12 that "the only people that are happy about (the dissolution of the Scorpions) are the organized crime bosses." Gastrow believes that the folding of the Scorpions into SAPS will mean the end of the unit and the effective work it has been doing.

"Cooler Heads"

14. (SBU) Parliamentary staffer Patrick Netshandama seperately told EmbOff February 12 that the media is overreacting and misrepresenting Nqakula's announcement as a fait accompli. He explained that the Scorpions can only be disbanded after properly amended legislation has been tabled, discussed, and approved. Netshandama believes that this is

still likely to happen, due to the ANC's overwhelming majority in Parliament, but only after the necessary and time-consuming legislative process. However, there is concern over the Minister's having announced an "outcome" in Parliament before the relevant parliamentary committees had a chance to deal with pertinent legislation and to hold hearings. Nqakula's scheduled press conference for February 13, presumably to discuss the matter, was abruptly canceled.

Comment

15. (SBU) Incorporation of the Scorpions, an elite NPA investigative unit tasked with fighting organized crime and corruption (which falls under Department of Justice authority), into the SAPS (which falls under Nqakula's Department of Safety and Security) has been under discussion for several years (Ref A). Policy papers adopted at the June ANC policy conference and the December ANC national conference in Polokwane include a plan to establish a single police service which specifically mentions dissolving the Scorpions and bringing its investigators under the SAPS. The matter has come to a head in recent months, with indictments filed against ANC President Jacob Zuma (Ref B) and SAPS National Commissioner Jakkie Selebi (Ref C) based on QNational Commissioner Jakkie Selebi (Ref C) based on investigations conducted by the Scorpions. While Nqakula's statement will undoubtedly stir up controversy, we agree with Netshandama's assessment that implementation of his proposal will require time and legislative action. Post strongly suspects that most Scorpions will refuse job offers with SAPS.
BOST